1   UNITED STATES DISTRICT COURT

2   DISTRICT OF SOUTH DAKOTA

3   WESTERN DIVISION

4

5 OTTO BISHOP; and STATE FARM MUTUAL

   AUTOMOBILE INSURANCE COMPANY,

6

              Plaintiffs,   Case No. 13-5062

7   vs.

8 THE GOODYEAR TIRE AND RUBBER

   COMPANY; and GOODYEAR DUNLOP TIRES

9 NORTH AMERICA, LTD.,

10   Defendants.

11 _____

12

13

14   VIDEOTAPED DEPOSITION OF

15   GLENN D. FOLLEN

16   Las Vegas, Nevada

17   Friday, October 24, 2014

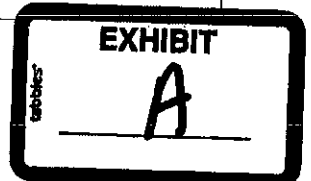18   Volume I

19

20

21

22 Reported By:

   Ellen L. Ford, RPR, CRR

23 CSR No. 846

24 Job No. 1950955

25 Pages 1 - 123

EXHIBIT
A

1 in Mr. Woerhle's deposition, and it's also evident on 13:24:45
2 some of the motorcycles that were measured in the 13:24:52
3 Goodyear rally data spreadsheets that I had. 13:24:57
4 Q Based on that, if this -- if the load that you 13:25:09
5 calculated here is 30 pounds above GVWR of the 13:25:15
6 motorcycle, you're saying two-thirds of that would be 13:25:26
7 going to the rear wheel or front wheel? 13:25:29
8 A No, to the rear wheel. And that's based on 13:25:33
9 just some of the information that's available. I 13:25:36
10 don't know what the loaded load distribution of that 13:25:39
11 motorcycle is. Based on these calculations here, we 13:25:43
12 have not exceeded the maximum load capacity of the 13:25:47
13 tire, if that's what your question is getting to. 13:25:51
14 Q That is my question. Do you have an opinion 13:25:54
15 about whether or not the load on the tire during this 13:25:59
16 last trip exceeded the load capacity of the tire? 13:26:03
17 A I believe it did, yes. 13:26:08
18 Q And how much load -- what was the load -- what 13:26:11
19 then -- 13:26:19
20   Did you calculate the load on the rear tire? 13:26:25
21 A I don't have enough available information to be 13:26:30
22 able to do that with any specific amount. 13:26:32
23 Q Why is it then that you say you're of the 13:26:40
24 opinion that the load on the tire exceeded the rated 13:26:43
25 load of the tire? 13:26:46

Page 58

1 A First of all, are we still under your 13:26:49
2 hypothetical that it had 40 PSI in it? 13:26:53
3 Q I'll tell you what. Let me -- let me ask 13:26:59
4 another question. 13:27:02
5 A Okay. 13:27:03
6 Q What is the rated load of the tire? 13:27:05
7 A It's 908 pounds at 40 PSI inflation. 13:27:08
8 Q Are you of the -- do you have an opinion as to 13:27:19
9 whether or not the tire -- that the load on the tire 13:27:22
10 exceeded 908 pounds? 13:27:26
11 A I believe, based on the information that was in 13:27:32
12 discovery, that it could have exceeded that load, yes. 13:27:38
13 Do I have a number? No, I don't. 13:27:46
14 Q Do you have an opinion, based on reasonable 13:27:51
15 engineering probability, that the load on the tire 13:27:54
16 during this last trip exceeded 908 pounds? 13:27:59
17 A I can't substantiate it, so the answer to 13:28:05
18 that's no. There's not enough information provided to 13:28:07
19 allow me to do that. 13:28:15
20 Q If you assume that the tire was at 30 PSI, can 13:29:23
21 you quantify the load that was on the tire to cause 13:29:27
22 the damage that you found? 13:29:35
23 A Could I ask you to give me that again, please? 13:29:39
24 Q All right, I'll try. 13:29:42
25   If you assume that the pressure in the tire was 13:29:47

Page 59

1 30 PSI, can you quantify the load that was on the tire 13:29:50
2 to cause the damage that you described? 13:29:57
3 A Yes. 13:30:04
4 Q And what would that be? 13:30:06
5 A What would the load be? 13:30:09
6 Q Yes. 13:30:11
7 A Well, I think at 30 PSI, and at the -- the tire 13:30:12
8 rim, as I recall, didn't specify 30 PSI, I think the 13:30:20
9 next iteration was 29 PSI, and it's something on the 13:30:25
10 order of -- at that inflation, the load capacity of 13:30:28
11 the tire is like 728 pounds. 13:30:33
12 Q And you made -- the reference was to RMA; is 13:30:56
13 that correct? 13:31:00
14 A Yes. 13:31:01
15 Q Is that part of your reference material that 13:31:08
16 you have provided us? 13:31:11
17 A Yes, it should be. 13:31:14
18 Q And I take it that the RMA -- 13:31:18
19 A I'm sorry. I said RMA. Tire & Rim. Excuse 13:31:21
20 me. 13:31:25
21 Q The TRA? 13:31:26
22 A Yes. Sorry about that. 13:31:27
23 Q All right. Does the TRA specify -- specify 13:31:33
24 what a tire like this tire -- I probably ought to just 13:31:37
25 ask you to describe it rather than trying to put my 13:31:52

Page 60

1 own words to it. 13:31:55
2   The TRA designates certain load ranges for 13:31:56
3 tires; is that right? 13:32:04
4 A They designate certain inflations, and then 13:32:05
5 they specify the load that can be carried for a range 13:32:07
6 of inflations. 13:32:10
7 Q For a given load range designation? 13:32:13
8 A For a given size tire. 13:32:17
9 Q All right. So for this given size tire, at 40 13:32:21
10 PSI, it's to be rated for 908 pounds? 13:32:28
11 A Correct. 13:32:31
12 Q And that -- and without going -- without me 13:32:32
13 pulling your reference material, do they show -- you 13:32:37
14 mentioned the iteration 29 PSI. Are there other 13:32:41
15 iterations? 13:32:45
16 A Yes. It -- it -- at its maximum configuration, 13:32:46
17 the 908 PSI, that's at a 40 PSI inflation. Then it 13:32:52
18 drops down to 36, 33, 29, and then at 25. 13:32:57
19 Q And do you recall -- do you have that with you 13:33:14
20 right there or are you -- 13:33:15
21 A Yeah, I sure do, yes. 13:33:17
22 Q Okay. Let me get you to just, if you will, 13:33:18
23 read those off for me for 36 PSI, what's the rated 13:33:21
24 load? 13:33:24
25 A 36 PSI, the load capacity is 853 pounds. And 13:33:25

Page 61

16 (Pages 58 - 61)